

**TOWN BOARD MEETING**  
**WEDNESDAY, FEBRUARY 4, 2009; 7:00 P.M.**  
NEW WINDSOR TOWN HALL  
NEW WINDSOR, NEW YORK

**BOARD MEMBERS PRESENT:** Supervisor Green, Councilwoman Mullarkey, Councilwoman Weyant, Councilwoman Biasotti, Councilman Lundstrom

**OTHER OFFICIALS PRESENT:** Comptroller Finnegan, Police Chief Biasotti, Highway Superintendent Fay, Town Attorney Blythe, Chief Information Technology Officer McDonald

Supervisor Green called to order the February Town Board meeting and presided over same.

**#1 On Agenda: Minutes**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor approve the minutes of the Town Board meeting held on January 7, 2009 as per the copies posted on the Town Clerk’s bulletin board in the Town Hall and same distributed to each of the Town Board members.

*Roll Call: All Ayes* *Motion Carried: 5-0*

**UNFINISHED BUSINESS**

**HIGHWAY DEPARTMENT**

**WATER DEPARTMENT**

**SANITATION DEPARTMENT**

**GENERAL**

**#2 On Agenda: Motion – Amend 2009 Standard Schedule Of Fees**

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor hereby amends the 2009 Standard Schedule of Fees as follows and directs the Town Clerk to revise the Standard Schedule of Fees accordingly:

**A. PLANNING BOARD FEES:**

3 (3) Mobile home courts: One Hundred Fifty (\$150.00) Dollars or Five (\$5.00) Dollars per unit, whichever is greater, plus One Hundred (\$100.00) Dollars for Fire Inspection Fee, plus publication and other costs.

**C. BUILDING INSPECTION FEES:**

g) Annual Fire Inspection Fee:

Commercial Occupancy	\$ 75.00
Places of Assembly	\$125.00
Multiple Dwellings (3 or more units)	\$ 75.00 per unit not to exceed a maximum of \$500.00

**P. WATER RATES AND FEES:**

4 (a) Replacement of five eighths (5/8”) inch water meter, damaged by ice or other damage: One Hundred Five (\$105.00) Dollars.

*Roll Call: All Ayes* *Motion Carried: 5-0*

**#3 On Agenda: Motion – Adopt Resolution Regarding Office Of Registrar Of Vital Statistics**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adopt the following Resolution:

TOWN BOARD REORGANIZATION MEETING  
WEDNESDAY, FEBRUARY 4, 2009; 7:00 P.M.

**WHEREAS**, the State of New York has appointed a Commission on Local Government Efficiency and Competitiveness, and one of the recommendations forwarded to the Governor is to move all Registrar of Vital Statistics duties to the county level under the direction of the New York State Health Commissioner; and

**WHEREAS**, local Registrars throughout the State provide residents with efficient, individualized services at a reasonable cost in their own communities; without the hardship of traveling to the county seat for these services; and

**WHEREAS**, it is the Town of New Windsor's experience that past centralization of certain functions to county government has proven to be of no benefit to the taxpayer but rather additional costs and mandates; and

**WHEREAS**, the Registrar in the Town of New Windsor charges a \$10 fee per document as prescribed by law; the proposed legislation would raise that fee to \$40 per document;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of New Windsor adamantly opposes the proposal to move the duties of the Registrar of Vital Statistics to the county level as it would impose a tremendous burden, hardship and disservice to our residents and taxpayers; and

**BE IT FURTHER RESOLVED**, that certified copies of this Resolution be forwarded to the Hon. David Paterson, Governor; Hon. William J. Larkin, Jr., Senator; Hon. Nancy Calhoun, Assemblywoman and the Commission on Local Government Efficiency and Competitiveness.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#4 On Agenda:      Receive And File Notice Of Claim – Beattie R Associates LLC**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Notice of Claim in the matter of Beattie R Associates, LLC vs. Town Board of the Town of New Windsor et al.

**#5 On Agenda:      Receive And File Developer's Agreement – First Columbia LLC  
For 4 London Avenue**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Developer's Agreement between Town of New Windsor and First Columbia LLC, dated January 23, 2009 for the project known as 4 London Avenue.

**#6 On Agenda:      Receive And File Grant Contract – New York State Division  
Of Criminal Justice Services**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a fully executed Impact V (Five) Grant Contract, #SA 08484010, between the Town of New Windsor and the Division of Criminal Justice Services dated January 5, 2009 for the contract period July 1, 2008 through June 30, 2009.

**#7 On Agenda:      Receive And File Developer's Agreement – RPA Associates, LLC  
For Patriot Bluff**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Developer's Agreement between Town of New Windsor and RPA Associates LLC dated January 16, 2009 for the project known as Patriot Bluff.

TOWN BOARD MEETING  
WEDNESDAY, FEBRUARY 4, 2009; 7:00 P.M.

**#8 On Agenda:      Receive And File Notice Of Claim – Patrick J. Torpey, 20<sup>th</sup> Century Towing, Inc. Vs. Town Of New Windsor**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Notice of Claim in the matter of Patrick J. Torpey, 20<sup>th</sup> Century Towing Inc. versus Town of New Windsor, Docket #08-11328.

**#9 On Agenda:      Motion - Authorize Payment – Turner Miller Group LLC**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor hereby authorizes additional payment, not to exceed \$5,000.00, to Turner Miller Group, LLC for supplementary services in connection with the original contract for work regarding the Base Realignment and Closure (BRAC) process.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#10 On Agenda:      Receive And File Notice Of Claim – Alex Shane Blue**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Notice of Claim in the matter of Alex Shane Blue vs. Sgt. Fayó et al, Case #08-7240.

**#11 On Agenda:      Receive And File Amended Developer's Agreement – Chestnut Woods At Cornwall**

Hearing no objection, the Town Board of the Town of New Windsor receive and file an Amendment to Developer's Agreement between Town of New Windsor and The Manor at Cornwall LLC dated January 29, 2009.

**#12 On Agenda:      Receive And File Permit Bond – Valley Contracting, Inc.**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Continuation Certificate for Permit Bond #43161371, submitted by Valley Contracting, Inc. in the amount of \$20,000.00, effective February 15, 2009 and expiring February 15, 2010. The purpose of the Permit Bond is to secure a permit from the Town of New Windsor to perform street openings within the Town, same being referred to the Town Attorney and the Town Highway Superintendent.

**#13 On Agenda:      Motion – Adopt Order Calling Public Hearing To Establish Garbage District Extension – Steele Road And Portion Of Route 207**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adopt an Order Calling Public Hearing to be held on March 4, 2009 at 555 Union Avenue, New Windsor, New York at 7:00 o'clock p.m. expanding the Town of New Windsor Garbage District to include Steele Road and a portion of Route 207 between Clarkview Road and Steele Road in accordance with the resolution attached hereto and which shall be subject to permissive referendum, same being referred to Town Clerk for publication pursuant to law.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#14 On Agenda:      Receive And File Executed Beverage Agreement – Coca- Cola Bottling Company Of New York**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk an executed Beverage Agreement with the Coca Cola Bottling Company of New York for the term of September 1, 2008 through August 31, 2013.

TOWN BOARD REORGANIZATION MEETING  
WEDNESDAY, FEBRUARY 4, 2009; 7:00 P.M.

**#15 On Agenda: Officials Reports**

The following reports were received, recorded and filed with the Town Clerk:

Building Department	Annual Report for 2008
Fire Prevention	Month of January 2009
Police Department	Month of January 2009
Recreation Department	Month of January 2009
Town Clerk	Month of January 2009
Town Justice Richard Thorpe	Month of January 2009
Town Justice Donald Suttlehan	Month of January 2009

**#16 On Agenda: Public Forum**

Supervisor Green opened the public forum portion of the meeting by asking if any of the Board had any comments. He then asked if anyone else had any comments or questions.

Diane Newlander said she had some concerns about stormwater drainage and deicing at Stewart Airport and the runoff going into Silver Stream and Beaver Dam Lake. She said she understands that Port Authority is going to be monitoring this; however she would like to suggest that the Town request that the NYS DEC appoint an independent contractor to monitor the runoff.

Frank Bedetti said he had some comments about a resolution relating to retirement health insurance benefits which was adopted at January's Town Board meeting. He said some of the officials mentioned in the resolution were friends of his and his comments were not personal. He feels that passing this resolution at this time is bad timing considering today's economy and felt some of the terms of the resolution are out of line. He said this is very close to a resolution which was made four years ago by the previous administration, the amount of employment time needed to collect benefits being the only difference, going from five years to eight years, and he thought that the original plan was a bad idea. At the time, it was opposed by a number of citizens and it was rescinded shortly after the current supervisor came into office, however Supervisor Green did say at that time that he would revisit the resolution in the future. Mr. Bedetti said that a number of town employees have to work twenty years in order to get a similar benefit and he feels that eight years is not long enough. He said he has a counter proposal to offer at the end of his comments. He said he feels this current resolution weakens the Town's ability to negotiate with the unions as it is practically an insult to them to tell them they have to wait twenty years in order to get benefits that are similar to this. He feels that there is no provision in this resolution to counter the cost of escalating premiums. His proposal is for a twelve year eligibility with a cap on how much the Town will actually contribute to those premiums. For example, he said he worked for a corporation for thirty years and has to pay into his medical. They would pay up to a certain amount and beyond that amount; it is up to the insured to pick up the rest of the premium. He believes that this resolution should be a shared cost resolution.

Supervisor Green said that he was not going to get into a debate but this is modeled exactly after the county's resolution and there are drastic changes, for example if anyone opts out they do not get \$4,000 per year for life in this proposal.

Fran Maxwell said she agrees with the previous speaker on this. She said she felt the same way four years ago and she still feels the same way. She said most companies are revisiting their policies and changing them, but what really got her was no co-pays and where could you go today for insurance that you don't have to pay a co-pay.

TOWN BOARD MEETING  
WEDNESDAY, FEBRUARY 4, 2009; 7:00 P.M.

Alice Randazzo said she also agrees with the previous speakers. She said she worked eighteen years for the US Military Academy and when she left, she had to pay her own insurance. She wanted to know if someone was on the board in the past for the required eight years, but was not currently a board member, were they entitled to this insurance. Supervisor Green said that this resolution is only going forward, not retroactive.

Fred Danritz (?) said he feels everybody should have health benefits but this package just seems a little too sweet, eight years, no co-pays...way too sweet.

Alice Randazzo wanted to know if at age 65, a person was required to go on Medicare. Supervisor Green said it was required, and once you become 65, Medicare becomes the primary and the rates are reduced.

Diane Newlander said she had one more thing to add and that is that this matter can be renegotiated, contracts are renegotiated every year and maybe that could be added on as well. She thinks it was unfortunate that people didn't realize that this was going on and considering the outcry in 2005...

Supervisor Green said that no secret was made of it in 2005 or 2006 that we would most certainly come back and revisit this and I am sure at that time I said that we would probably model it right after the county's and that's exactly what we did.

Diane Newlander asked if there was any public discussion on this anywhere – at a workshop meeting or a town board meeting. She said she never saw anything mentioned about it.

Supervisor Green said a copy of the resolution was passed out to the board members and they knew what was in it, but it was not discussed. He said that the board does not discuss every resolution.

Diane Newlander said that she thought that something with the potential to cost a lot of money in the long run, that it's only fair for the taxpayers to know.

Supervisor Green said that when he started to look at this back in 2006, he had a calculation done by the former Comptroller to find out what we would save by not having elected officials taking this and it turned out to be about \$253,000. He asked everyone to remember that there are a lot of us who won't take it because we are covered elsewhere.

Rocco Randazzo asked if that figure was the savings at that time. Supervisor Green replied that he thought it was for over a six year period. Mr. Randazzo wanted to know if this resolution becomes a reality what it would cost. Supervisor Green said that the resolution was a reality, and there is no immediate cost to it as it doesn't happen until one of the existing councilmembers is not a councilmember anymore and then only if they apply for it. There is no "today" cost to that resolution. Supervisor Green said this resolution is upon retirement from an elected position.

Frank Bedetti wanted to know what happens when other boards such as Planning come asking for the same thing. Supervisor Green said this plan has been in effect in the county for a long time and the county calls it the executive management plan and there are other aspects of the executive management plan. It has never been an issue at contract negotiations and he is sure it's not going to be an issue here.

Leo Braun asked if at the present time there is no cost to the Town. Supervisor Green said there is no cost for retirement benefits until somebody retires. Leo Braun said if after eight years, the town picks up the cost, but retiring prior to eight years... Supervisor Green said that person is out of luck.

TOWN BOARD REORGANIZATION MEETING  
WEDNESDAY, FEBRUARY 4, 2009; 7:00 P.M.

Hearing no one else wishing to speak, Supervisor entertained a motion to close the Public Forum.

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor close the Public Forum portion of the meeting.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#17 On Agenda: Adjourn**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adjourn the Town Board meeting at 9:00 p.m.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

Respectfully submitted,

**DEBORAH GREEN**  
TOWN CLERK

/clc